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8 **GEORGE AVALOS**

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14 Telephone: (559) 878-3521

15 Attorneys for Defendant:  
16 **HPC BLACKSTONE INVESTORS, LP**

17 UNITED STATES DISTRICT COURT  
18 EASTERN DISTRICT OF CALIFORNIA

19 GEORGE AVALOS, an individual,  
20  
21 Plaintiff,  
22  
23 v.

24 HPC BLACKSTONE INVESTORS, LP,  
25 California limited partnership; and DOES  
26 1-10, inclusive,  
27 Defendants.

Case No.: 1:20-cv-01385-DAD-SKO

Hon. Dale A. Drozd

**JOINT STIPULATION TO FILE SECOND  
AMENDED COMPLAINT AND ORDER**

(Doc. 52)

1  
2 **TO THE COURT AND ALL PARTIES:**

3 It is hereby stipulated that Plaintiff GEORGE AVALOS (“Plaintiff”) and HPC  
4 BLACKSTONE INVESTORS, LP (“Defendant”) agree, pursuant to Fed. R. Civ. Proc. 15(a)(2)  
5 to amend the complaint.

6 “The court should freely give leave when justice so requires.” The Ninth Circuit requires  
7 that this policy favoring amendment be applied with “extreme liberality.” *Morongo Band of*  
8 *Mission Indians v. Rose*, 893 F.2d 1074, 1079 (9th Cir. 1990).

9 The proposed Second Amended Complaint more clearly describes the locations of the  
10 subject property and the alleged barriers to access at paragraphs 2, 11, and 12 of the Second  
11 Amended Complaint.

12 The Parties hereby stipulate and agree pursuant, by and through their undersigned counsel,  
13 that the Court may enter an Order:

14 Granting Plaintiff leave to amend to file his Second Amended Complaint, which is  
15 attached as **Exhibit A**.

16  
17 Respectfully submitted,

18 DATED: June 17, 2021

MANNING LAW

19  
20 By /s/ Joseph R. Manning, Jr.  
JOSEPH R. MANNING, JR.  
21 Attorney for Plaintiff,  
22 GEROGE AVALOS

23 DATED: June 17, 2021

GOLDEN LAW A.P.C.

24 By /s/ Rachelle Taylor Golden  
25 RACHELLE TAYLOR GOLDEN  
26 Attorney for Defendant,  
27 HPC BLACKSTONE INVESTORS, LP  
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**ATTESTATION**

Concurrence in the filing of this document has been obtained from each of the individual(s) whose electronic signature is attributed above.

DATED: June 17, 2021

By: /s/ Joseph R. Manning, Jr.

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**ORDER**

Pursuant to the parties' above stipulation (Doc. 52), and for good cause shown, IT IS  
HEREBY ORDERED that Plaintiff is granted leave to file a second amended complaint within  
seven (7) days of this order.

IT IS SO ORDERED.

Dated: **June 21, 2021**

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE